

REMARKS/ARGUMENTS

After the foregoing amendment, claims 1-6 and 8-11 are currently pending in this application. Claims 7 and 12-24 have been canceled without prejudice. Claim 1 has been amended to incorporate the subject matter of claim 7. Claims 8-11 have been amended to change their dependency from claim 7 to amended claim 1. Applicants submit that no new matter has been introduced into the application by these amendments.

Allowable Subject Matter

The Examiner is thanked for indicating that claims 7-11 contain allowable subject matter.

Double Patenting Rejection

Claims 12 and 24 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending U.S. Patent Application No. 10/772,017 (hereinafter “017”).

Because claims 12 and 24 have been canceled, this rejection is moot. Applicants respectfully request that the provisional double patenting rejection be withdrawn.

Claim Rejections - 35 USC §112

Claims 13-24 stand rejected under 35 U.S.C. §112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. In particular, the Examiner argues that the “means language presented in the claims is not accompanied by corresponding structure in the specification.”

Because claims 13-24 have been canceled, this rejection is moot. Applicants respectfully request that the 35 U.S.C. §112, second paragraph rejection be withdrawn.

Claim Rejections - 35 USC §101

Claims 13-24 stand rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. In particular, the Examiner argues that “the claimed means can be interpreted to correspond only to software per se without any accompanying structure.”

Because claims 13-24 have been canceled, this rejection is moot. Applicants respectfully request that the 35 U.S.C. §101 rejection be withdrawn.

Claim Rejections - 35 USC §102

Claims 1, 2, 13, and 14 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,578,120 to Crockett et al. (hereinafter “Crockett”).

Because claim 1 has been amended to include allowable subject matter, claim 2 depends from claim 1, and claims 13-14 have been canceled, this rejection is moot. Applicants respectfully request that the 35 U.S.C. §102(e) rejection be withdrawn.

Claim Rejections - 35 USC §103(a)

Claims 3, 4, 15, and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Crockett in view of U.S. Patent No. 7,111,136 to Yamagami (hereinafter “Yamagami”).

Claims 5, 6, 17, and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Crockett in view of U.S. Patent No. 6,654,912 to Viswanathan et al. (hereinafter “Viswanathan”).

Because claims 3-6 depend from amended claim 1 which contains allowable subject matter and claims 15-18 have been canceled, this rejection is moot. Applicants respectfully request that the 35 U.S.C. §103(a) rejection be withdrawn.

Applicant: Stager et al.
Application No.: 10/772,642

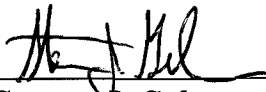
Conclusion

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, Applicants respectfully submit that the present application, including claims 1-6 and 8-11, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Stager et al.

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